

The imprisonment in default should be with or without hard labour. Section 16 (sub-

THE JUBILEE OF HONGKONG.

THE NEW MAGISTRATES
ORDINANCE.

The imprisonment in default, should be with or without hard labour. Section 16 (sub-section 2), section 18, section 31, and sections 58 to 60 give the Magistrates an entirely new power, namely, that of adjudging in certain cases such costs as they may deem reasonable. It will be noticed that the Magistrate's sentence is left to the discretion of the Magistrate's discretion. We think that this ought not to be so, but that there should be a scale of costs fixed. Section 75 ought to be amended by making the second line read "the Magistrate shall, etc." It is found not infrequently in practice that the Magistrate sits in the afternoon, and is properly bound over to appear at the Sessions, and the Legislature should therefore make it imperative on the Magistrate to do this, if this is done.

We notice that the power of one Magistrate sitting alone to give a year's imprisonment for certain offences (see Ordinance 12 of 1873) is somewhat anomalous. It is also found in 1880 that the same authority is given to two Magistrates sitting together and the possibility of their disagreement we think that this power ought to be restored to the single Magistrate. Moreover, in cases of kidnapping, a complaint can be easily brought to bar between the 25th and 26th sections of the Ordinance and the trial itself. It appears to us that the punishment authorized by section 31 is insufficient and that \$50 is an entirely inadequate sum. We should suggest that the powers conferred should be the same as those contained in Ordinance 12 of 1873 respecting the same offences. The same applies to offences, is more useful than ornamental and should be put into plain English. Section 27 is contrary to the present practice, under which Inspectors of Police write to bail in the case of certain minor offences whereas the Magistrate sits within twenty-four hours of the offence and makes the necessary commissions in the new Ordinance. The first suggestion is an omission to properly re-enact section 11 of Ordinance 5 of 1850. A Magistrate is only human and ought to be given full power to review or reverse his first judgment if he thinks it is wrong. The second omission to re-enact section 12 of Ordinance 5 of 1850, sections 5 and 9 of Ordinance 16 of 1873, and whipping juvenile offenders. This power is so useful a one that we hope that it is not intended to give it up on sentimental grounds. The present Ordinance is manifestly superior to the former disjointed enactments, but we hope that it will be found to be equally as efficacious with some of its amendments very few.

Amongst the more important of the subjects dealt with in the annual report of the Hongkong Chamber of Commerce is that of the alleged contemplated convention between the Telegraph Companies and the Chinese Government. The conclusion of the convention would have meant the maintenance of high rates for telegrams for a long term of years. It has been vigorously opposed by the Hongkong and Shanghai Chambers, and it is satisfactory to learn that so far no convention has actually been ratified. In the event of the proposed convention being telegraphy is so essential, it is to be hoped the opposition may have been completely successful, and that the proposed convention has been permanently abandoned, but unfortunately the Committee was not able to state this positively, the matter still remaining in a state of uncertainty. As is well known, the British Minister at Peking was not even able to see this matter in the same light as the Chinese, and consequently their protest did not receive his support, but the communications of the Shanghai Chamber were addressed to the doyen of the diplomatic body and through him received due attention.

establishment of an Emigration Department distinct from the Harbour Master's Office, which is a somewhat less complicated system of supervising the shipment of emigrants, preventing out that, in their opinion, if hampered with vexatious conditions the traffic would be driven into other channels to the detriment of the trade of Hongkong. The suggestion is a wise one and will doubtless be of great effect to it. It is fully recognised by all authorities that regulations are necessary to prevent abuses in connection with emigration, and it is alleged that some of the existing regulations are vexatious, without being in any way useful and that protection could be more effectively afforded by a much simpler system.

passing on to the other matters mentioned in the report we learn that mercantile and voluntary agents invited by the Secretary of State for the Colonies undertake voluntary action for the purpose of saving unnecessary labour in the harbour at Swinley. The report says the subject has already been brought to the notice of the Council, but the same difficulty is still experienced by the Committee in suggesting a scheme admitting of general and equitable application calculated to bring about an end aimed at. The considerations governing this question have been so frequently fully discussed that it is unnecessary to repeat them, the matter is being well understood by a large number of people here and in what it is, it is worth it would have been the Secretary of State's despatch had been noticed.

With reference to the question of opium smuggling on board the river steamers to Canton, learn that an amending Ordinance in course of preparation dealing with the opium trade on the river, and which would undoubtedly give facilities for smuggling, and the owners of the river steamers have to be constantly on the alert to prevent their vessels being made use of in that way. When smuggled opium is discovered it has to be seized, or up to the Opium Farmer, and the working of this provision, through the licensed opium shops, is believed to be an incentive to smuggling. It is suggested that the opium shop is the shop from which the opium has been got, it back again. In any amendment of the law it should be provided that smuggled opium should either be confiscated to the Government or destroyed. It would doubtless diminish the letting of the use of the Farn, but that is a consideration of minor importance as compared with the

There is only one other point in the relation to which we would specially refer, and that is the proposed institution of a licensing fee for brokers. The opinion of the Chamber, has been asked as to the propriety of such a fee, and the members of the Chamber say they are of opinion that the system of licensing would be desirable. The breakdown of the proposal to establish brokers' exchange is to be regretted; but, as the Committee of the Chamber seem to think, the proposal will doubtless be growing into a very useful and profitable enterprise, and share business in Hong Kong is not set of organisation for its control will become absolutely essential. The Committee, therefore, although they are of opinion that a system of licensing would be desirable, "do not suggest any Government control over share transactions, as they consider that the existing law is sufficient to be applicable to the many ramifications of general share business." Translated into simple language, this means, we presume, that the Committee do not consider time and again should be made illegal. As to the various measures not being applicable to the present law, it is not clear whether this is on any dispute arising it has to be decided by the Courts according to the law, and there is no reason why the law should be amended if it be thought desirable. It would be impossible to prevent betting on the rise or fall of shares, and it would be quite possible to prevent this in the future by the introduction of a new act of law. On the whole, however, we are inclined to think that evils of this nature are left to work their own cure. At all events Hongkong may be very well content to follow English legislation in such a matter as this instead of trying to strike out a new path. With time these evils are made illegal in England the expediency of considering them illegal in Hongkong may be considered.

The Official Assignee for the Straits Settlements, Mr. Hoggart, was recently permitted to report on the administration of the Bankruptcy Ordinance, 1888, since the 3rd December, 1888, the date when the Ordinance came into operation, to the 31st December last. As an amendment of our own bankruptcy law will probably soon be proposed, it is of interest to know how the law as it is, and the working of the new law in the Straits Settlements, are viewed by those who are not without interest for us here. The amounts involved in the bankruptcies in the Straits Settlements, and in the Colonies, are very different. In the Straits Settlements, last year, the estimated assets of bankrupts amounted to \$385,830, the estimated liabilities to \$1,204,083, and the estimated loss to creditors to \$918,252. In Hongkong in 1888 the amount realised by bankrupt estates was \$1,394,942 and the amount of debts proved to be due to the creditors was \$1,935,335, so that the loss to those creditors was in the little over 70 per cent. The debts in the Straits Settlements, however, amounted to \$1,204,083, and the assets to \$385,830, to \$123,310, and the loss to the creditors would appear, therefore, that less than 10 per cent. of the alleged assets were realised, and that this sum amounted to only about 10 per cent. of the debts in the schedule. The figures for 1889 have not yet been published; when they appear they will probably show that the amount involved in bankruptcies was much larger than in the preceding

partners with the view to the identification of partners. On possession being taken, the partnership and stock accounts in Chinese firms are seldom surrendered, and, arising from the inability of the majority to satisfy the Official Assignee in respect of the partnership, it may be recommended that the majority of the partnership kept back with the object of retaining the names out of the proceedings. In two or three Chinese estates have the Official Assignee given to the Official Assignee any information or evidence respecting the common of the partners in the majority of the partnership, this secret and fraudulent, maintaining this secret and fraudulent, thereby of increasing their dividend." remarks apply equally to Hongkong. Chinese themselves have petitioned for the colony for the compulsory registration of partnerships and in the absence of such provisions, the difficulty is in arranging for the enforcement of the provisions. To enforce registration, the provisions were made on account of the partners absent from the colony, as partners in person, and they could not be criminally responsible for the acts of the representatives of the partners. It is also there is a difficulty in distinguishing between a bona fide partner and a merely advances money.

full consideration:—"The depressing effect exercised on the general trade of the country by the fraudulent and reckless institution of insolvent and therefore irrevocable traders has not hitherto received due recognition by the trading community. It may probably have been that the manufacturers and merchants have been ignorant of the extent to which evil prevailed that they regarded the ruin of the country as the measure of the probable risks which are inseparable from the conduct of mercantile business; and they overlooked the fact that the direct and sustained by creditors of bankrupt traders are very small, compared with the losses inflicted upon legitimate trade by the prevalence of the evil. The law of the Bankruptcy Court under the new Act have in this respect an important bearing upon the formation of public opinion, and are now doing something to restrain and stimulate it." A quotation is given from a financial journal bearing the same point, and showing how much disturbed when even a small quantity of dishonest is being sold below value. "A dishonest trader on the way to bank-

trict bankruptcy law is therefore necessary for the commercial health of a country. The principle of throwing the responsibility on the creditor of seeing that the person to whom he gives credit is entitled to and affording him no protection against a fraudulent or careless trader, is not a doctrine, even if the debtor and creditor are the only persons concerned, as it means that the creditor is to be made responsible and the creditor are not the only persons concerned, and many honest traders may be adversely affected, even to the point of ruin, by the underestimating of the dishonest—whose care is not to make a profit—live at other people's expense for a while and then get "whitemashed"—the criminal ought to be made strictly applicable as far as possible.

in the case of the compulsory registration of partnerships. To make all persons criminally responsible for what they do, or neglect to do, is one thing, but to neglect the tenaciousness of our legal jurisprudence, which has been introduced in the Netherlands a few years ago, but what success has attended its working we are unable to say. The proposed code should be arrived at by which would be unobjectionable, and undoubtedly be most desirable. The speaker's remarks were useful for the speaker recommends that bankrupts who pay a dividend of 50 per cent. to their creditors should be treated as criminals, and punished accordingly unless they can show that their bankruptcy was the result of misfortune. The man who leaves other persons except by misfortune, and who is a fool, a knave, is either a scoundrel or a fool. With the terms of the law laid before them both classes would be greatly restrained from reckless and dishonest trading, and when it became necessary to apply the law the Courts might be tempted to distinguish between the two, and temper the penalty accordingly.

conversion of the little acres of verdant shade in the city of Victoria into a city of brick and mortar has been proceeding for the last thirty years. The most pleasant gardens that formerly adorned the villas and bungalows on the hill above Wyndham Street and Holywood Road have, to a large extent, given place to clusters of lofty dwellings mostly inferior in comfort and appearance to the older ones. The corners are now allowed to grow up, it is said, to a height of 100 feet, and a spare bit of ground may be the most valuable house springs up on it. Of this is only in obedience to the law of demand and supply; land has so increased in value that owners are bound to use the most of it; and though we may regret that the owners of these little lungs of greenery are not right in grumble, we must concede the Government would become a cynic to a cynic destined to materially increase if not to ruin one of the few open spaces in the centre of the city. The land lying between Wyndham and Tower Abbot Road, whereon the southern end of each of the two new hospitals, the Dairy Press Office and St. Paul's College, at a corner where thousands meet, has hitherto been held as a private property. It is a great centre of traffic and forms an approach to the Glenelg Rivine, the thoroughfare leading to the Botanic gardens, and the Victoria Park.

It is now, however, proposed to plant an office and depot for the Dairy Farm on this land, and plans for the building have been prepared, though we have not as yet seen them. It is said that the site has not been put up to auction. The building, which will be some 100 feet in length, is to be a pretty well finished structure, two storeys in height in the middle and one at each end. It will have an entrance to St. Paul's College, and an elevation on Wyndham Street, and will be reached from a high level, dug near the corner, apparently for the convenience, nearly to the "elder" Hill. The building itself, designed by Mr. J. M. Venn, D. A. S., is a

disfigurement to the locality, as if
her attractive than otherwise, be-
sible not to regard the disappear-
is little hung without regret, more
us it is the fact the gathering
at the Dairy will constitute a great
nuisance to the neighborhood.
Present time the place forms a
ground for the little ones, and the
of a larger growth are glad in the
of the long hot summer to use
table seats under the welcome
the trees and enjoy a little cool-
s to be found in the crowded

who take their walks along the Road cannot have failed to notice the numerous empty houses beyond Whitefield station which have recently formed the subject of correspondence between the Board and the Sanitary Board. It has been represented to the Committee that the houses were unoccupied on account of the unhealthiness of the locality. The matter was referred to the Sanitary Board for consideration. The Sanitary Board was thereupon requested to make inquiries, and according to a cable from the Sanitary Board to the Council of his salary question and that the Sanitary Board were more particular than the Council to understand the value of salary. The vote was taken. The Council voted for the table of salaries at £734 for April to August 1894.

the true reason why the houses
erupted is that there is no em-
ployment in the locality. Whitfield
Pon has long been known as Fever
and so serious had the illness
the police stationed there become
alarmed and have long com-
mended it. This gave the colour
representation that the houses in the
hood were also unhealthy, but ac-
cording to the Colonial Surgeon the un-
der of the Police-Station was due to
be found at that particular spot and
not present in the houses in ques-
tion. Mr. McCallum's resources certainly
were not so rich as may be seen
in his harbour and in the time
of the houses standing empty
there is no employment for the people
to occupy them seems very reason-
able. Mr. McCallum suggests that this
land be removed if boats were allow-
ed to use the harbour of refuge at Causeway
instead of only in bad
times. The Hon. the
Commissioner forwarded it to the
Commissioner, but coupled
with the condition that the boats should be
allowed to leave the harbour of refuge every
sanitary grounds this is a very nec-
essary, as otherwise boats would
remain in positions there and the
would soon become offensive by
the use of garbage and waste materials
which would be a danger to health.
However, he has no sanitary objection
entering to land and discharge, car-
ried out on the recommendation of the Sanitary
Committee it will be interesting to
experiment. Very positively we
are of course of a few years see a busy
spring up in that locality.

ag of the Legislative Council was held
 last. There were present:—
 THE HON. THE ACTING GOVERNOR,
 HARRINGTON, C.M.G.
 M. DEANE, Acting Colonial Secre-
 J. LEACH, Acting Attorney-General.
 LISTON, Colonial Treasurer.
 BROWN, Surveyor-General.
 G. MITCHELL-INNES, Acting Regis-
 RYRIE.
 F. CHATER.
 P. MACKENZIE.
 J. KIEWICK.
 KAT.
 BERN, Clerk of Councils.

[illegible]

of the Attorney-General from £4,500 to £6,000, and that he would in future have to give up his private practice in order to do his work of trade marks &c.

ORIGINAL TREASURER'S REPLY.

Mr. Mellor.—Before this vote is passed I should like to state the circumstances under which I have been asked to make a proposal for a year's certain correspondence took place between the Governor of this Colony and the Attorney-General in connection with the proposed increase of salary. The Secretary of State wrote a despatch in which it was proposed that the salary of the Attorney-General should be the same as that now given in the Straits Settlements. It was pointed out that the salary then allotted to him was the salary, but in proportion to the increase of salary it was stated that the Attorney-General should no longer be allowed of private practice and then the question was raised whether the balance should be paid into the Treasury. The average amount of these fees has been £825 per annum. It is, I think, a somewhat small sum.

person should or should not be allowed notice. I believe there is a good deal on both sides. In my opinion the Attorney who possesses private practice opportunity for working up local laws otherwise would have and he is brought in connection with the community public officer in my opinion is a good thing. On the other hand his action, especially if it happens to be a takes up a considerable portion of and it may be that certain conclusions were necessary to be arrived at are

[illegible]

The Kowloon district from the 1st
st December
the Finance Committee.
a rate of \$90 for allowance of a
r for the head-mistress of the
was also referred to the Finance

[illegible]

COLONIAL SECRETARY said that to the second vote (£50 for C. t's report) that was still under con- sideration of the Finance Committee and there

ATTORNEY GENERAL: I beg to read the Bill for the new Law. Leung Sing otherwise Lam do not think any observations from any on this occasion. These Ordinances from time to time been before the this occasion I believe the gentleness of naturalisation has satisfied the various stages and finally passed.

[illegible]

saw the hon. member, although
 him that he should have men-
 tioned the matter on the second reading, if
 he had done so, I am aware of the ob-
 ject it being still laid down that
 any body in any place not recog-
 nized by the Bill would be liable to
 varying there is liable to a fine
 of £5. There is no intention what-
 ever from the operation of the
 Bill, that any person should be
 liable, which deals with these penalties
 and the Bill is intended to be
 amended. Perhaps the hon. member
 is alluding to the Ordinances? I am in-
 formed that there is no intention of excluding
 any person from the Bill. I am in-
 formed that the Bill is intended to be
 amended. If the hon. member has
 to the wording of the Bill the
 pleasure to hear any amendment
 proposed.

COLONIAL SECRETARY.—I think
 that we will remember that these com-
 munities are present under the control of the
 Government, and that they are not
 free by-laws they possibly might be
 under control, but at the present mo-
 ment they have no control over

[illegible]

ANCE COMMITTEE.

session of the Council meeting, a Finance Committee was held, the Secretary presiding.

AR said members would remember that meeting there was a vote with the Bokhara rocks which stood over members might study the question, not yet come round to all the

mitted and he therefore pro-
posed should stand over till the
next day to move that a vote
be taken on the salary of the Attorney.
\$70 To \$7,800, he passed. His
motion had before him the whole
of the board. He did not think it was necessary to
move, but he had before him the
salary of the State in case any
further information.

TREASURER seconded and the

being made up of a salary of \$12 per month during the winter months and \$15 per month during the summer months. This vote had been recommended by the Sanitary Board. The board had acquired into the matter and asked that the minute be approved. The board had asked that the minute be approved. The board had asked that the minute be approved.

said the next vote was one of
teacher for nine months at \$10
Head Mistress of the Girl
Innocent School for girls had
and a husband mistress had ar-
und. She desired a Chinese
ged to move that this vote be

TREASURER announced
been agreed to, the Commit-

Despatch was laid on the table of
Council yesterday afternoon.
Downing Street,
24th January 1890

to previous correspondence
fortifications recently erected at
our armament. I have now the
you on the subject of the ad-
quired by those fortifications
as of its cost; matters to which
government have given most
al consideration.

re that in 1884 it was arrang-
should construct the works,
mial Government should pro-
of the proposed defence.
suggested as follows:

g 60 per cent. to Colonial, and
perial. Revenues.
a was subsequently increased

..... £
..... 118,000
..... 153,110
.....
..... the submarine mining de-
..... stimated to cost—
..... £
..... 9,017
.....
..... ing vessel and stores 46,500
.....
..... cost of the defence and the
..... it will be as follows:—
.....
..... COLONIAL.

.....	153,910
g builings,	
.....	0'017
r resols and	
.....	16,500
.....	90'427

ing 98 per cent. to Colonial and Imperial Revenue and 2 per cent. against the Colonies and 40 per cent. to Imperialism in 1888. It will be in accordance with the original idea the Colony ought to repay the Government raising the budget of Hongkong has paid a military 00002 a year in aid of the coast. If you refer to paragraph 1 of the letter of the 25th of April, Sir Hercules Robinson to England, you will see that I intended that the amount of the loan be subject to any revision in the direct charges of the colony. It will also be seen from the same letter and paragraph of Newcastle's despatch, No. 10 of September 1883, that I intended, in fixing the amount at £100,000 "not to press too heavily on colonial revenues and thus on the pockets of public utility." I am, in replying on the 21st of April, letter of the 25th of April, replying 21) this expression to "distribution was" not to be raised to future generation.

person numbered 1,745 of all
volunteers, and its cost has
been \$0,000, a year, while the Co-
has remained at 20,000/.

garrison, including local re-
ciding militia and volunteers.
tely as follows:—

this garrison will be about £d and consequently be nearly as much as was the cost of the Colonist contribution Majesty's Government, however, the contribution should now be the same proportion and will Colony to provide £40,000, he three years, 1890-1-2, the addition the cost of any arms, which it may raise, and be paid after 1892-being subtraction during these three years.

I remember that Lord Derby's of the 17th of September 1886, or other correspondence between the 9th of September.

"Lord Hartington considers be intimated to the Governor arrangements as an indication of his to the works now to be conducted, and that the military cost the Colony will have to be reference to the increased may become necessary in consequence," and to the general duty." And in now informing which Her Majesty's Colony from the fact of the increased garrison, I desire to the following consideration been duly weighed before

Shipping.	
Ships.	Tonnage.
Entered 1,822	894,624
Cleared 1,835	911,957
Entered 27,500	2,501,845
Cleared 27,090	2,473,887
Entered 28,779	4,355,684
Cleared 28,377	4,340,419
Entered 27,779	4,400,410
Cleared 27,338	4,339,974

No. 10,037 號七十三萬一第 日九十三月二年六十光 HONGKONG, WEDNESDAY, MAY 15th 1900 三年禮 號九十月三英港香 PRICE \$2 per MONTH

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Hongkong, 17th March, 1890. [149]

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1125 N. N. H. HOTEL.	

to the undersigned on or before the 20th
or they will not be recognised.
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ADAMSON, BELL & Co.,
Agents.

C. F. Preston, R.N.R., will leave for
 his places on FRIDAY, the 28th inst.
 F. L. WOODIN,
 Superintendent.
 March, 1890.

